

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

**MEMORANDUM OF MATTERS DISCUSSED AND  
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on August 3, 2016. Defendant Young Isinwa appeared in person and with Assistant Federal Public Defender Travis Poindexter. The United States of America appeared by Assistant United States Attorney Gregg Coonrod and Sheldon Beer, Civil Rights Division.

## 1. BACKGROUND

On July 8, 2015, an indictment was returned charging defendant with one count of deprivation of civil rights, in violation of 18 U.S.C. § 242.

The following matters were discussed and action taken during the pretrial conference:

## *II. TRIAL COUNSEL*

Mr. Coonrod announced that David Ketchmark and Sheldon Beer will be the trial counsel for the government. The case agent to be seated at counsel table is FBI Special Agent Damian Martinez.

Mr. Poindexter announced that he will be the trial counsel for defendant Young Isinwa.

### ***III. OUTSTANDING MOTIONS***

There are currently two motions pending for ruling by the district judge.

1. Motion in limine regarding character of the victim, filed by the government on August 3, 2016 (document number 29).
2. Motion in limine regarding character of the defendant, filed by the government on August 3, 2016 (document number 30).

### ***IV. TRIAL WITNESSES***

Mr. Coonrod announced that the government intends to call 12 witnesses without stipulations or 8 to 10 witnesses with stipulations during the trial.

Mr. Poindexter announced that defendant Young Isinwa intends to call 10 to 14 witnesses during the trial. The defendant may testify.

### ***V. TRIAL EXHIBITS***

Mr. Coonrod announced that the government will offer approximately 40 exhibits in evidence during the trial.

Mr. Poindexter announced that defendant Young Isinwa will offer approximately 30 exhibits in evidence during the trial.

### ***VI. RULE 404(b) EVIDENCE***

Mr. Coonrod announced that the government will not offer 404(b) or res gestae evidence during the trial.

Mr. Poindexter announced that defendant Young Isinwa may offer 404(b) evidence during the trial.

### ***VII. DEFENSES***

Mr. Poindexter announced that defendant Young Isinwa will rely on the defenses of general denial and self defense.

***VIII. POSSIBLE DISPOSITION***

Mr. Poindexter stated this case is definitely for trial.

Mr. Coonrod stated the government had proposed a plea agreement to defendant Young Isinwa.

***IX. STIPULATIONS***

Stipulations may not be appropriate in this case.

***X. TRIAL TIME***

Counsel were in agreement that this case will take 2 to 3 days to try.

***XI. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS***

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed December 30, 2015, counsel for each party file and serve a list of exhibits he intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by August 3, 2016;

That counsel for each party file and serve requested jury voir dire examination questions by or before noon, Wednesday, August 10, 2016;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions by or before noon, Wednesday, August 10, 2016. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and by e-mail to the trial judge's courtroom deputy.

That each party file all signed stipulations by or before noon, Wednesday, August 10, 2016;

That seven days before the trial date as reflected in the forthcoming trial letter, if there is not a scheduled change-of-plea hearing, the parties shall make available for the opposing party to inspect, copy or photograph (1) all premarked trial exhibits, (2) any written statements that will be used at trial, and (3) Rule 404(b) and res gestae evidence to be offered at trial.

***XII. UNUSUAL QUESTIONS OF LAW***

No motions in limine, other than the two that were filed on August 3, 2016, by the government, are anticipated. There are no unusual questions of law.

***XII. TRIAL SETTING***

All counsel and the defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on August 15, 2016. The government requests the first week of the trial docket.

/s/ *Robert E. Larsen*  
ROBERT E. LARSEN  
United States Magistrate Judge

Kansas City, Missouri  
August 3, 2016